

DRAFT

Resource Action Identification Form

It is anticipated that potential Resource Actions may be very preliminary at this stage. Please fill out as many sections as possible (understanding that you may not have this information or it may not be available) but, at a minimum, sections 1, 2, and 3. Resource Actions may be refined, reviewed and parked over time through Work Group, Plenary and Settlement discussions.

1. Name of Proposed Resource Action:

- a. Name of proposed PM&E option: _____

Surcharge for all Electric Power Sold Outside the Feather River Water Shed.

2. Proposed Resource Action – Please describe and include the following:

- a. Describe the proposed resource action in as much detail as practical:

The Department of Water Resources as licensee generates hydroelectric power at a cost of less than \$2.00 per megawatt-hour. The licensee decides at its own discretion how much it will sell the power for and to whom it will sell the power. Neither FERC nor any agency of the State of California has any oversight authority over such decisions. The market price for electric power is now in the range of \$30.00 to \$35.00 per megawatt-hour (wholesale). The State of California has engaged long term power purchase contracts for \$60.00 to \$65.00 per megawatt-hour (which were negotiated by the licensee in a separate capacity) According to the California State Water Project Bulletin 132-01, Dec. 2002 the Department sold 2.92 billion kWh of energy in 2002 to 24 utilities and 36 power marketers. The three Federally Recognized Tribes of the Feather River Project FERC 2100 are requiring a surcharge for all Electric power Sold Outside the Feather River Water Shed for reparation of long standing irreversible damages the Maidu People have sustained (1951 to 2003). And the immense damages that will continue to happen (2004-2057) by the Operations of the FERC Project 2100. Therefore a megawatt-hour surcharge percentage to be added to the licensee's cost for operations and maintenance of the hydroelectric power facility of the FERC Project 2100 would be provided quarterly to the Three Federally Recognized Tribes. This surcharge will be used for reparation to the Tribes for the immense damages done by the construction of the Oroville Dam to the culture and heritage of the Maidu People, and for the implementation of the enclosed Natural Resource Management Plan.

- b. Any physical or operational changes:
() Yes (X) No () Don't know
If Yes, Please explain:

This will not affect the operation of the project.

- c. Proposed start date and duration:
Start (month/yr): 2005 Duration (month(s)/yr(s)): 2057

January 2005 to January 2057 as determined by the negotiated agreement between the Licensee and Three Federally Recognized Maidu Tribes to cover the 50-year life of the license.

- d. Location (within FERC boundary/outside FERC boundary):

(X) Inside () Outside () Don't Know
Please specify possible locations(s) referring to the linked map
(<http://orovillereicensing.water.ca.gov/maps.html>). Or providing a map as appropriate:

The Maidu Aboriginal Territory encompasses the entire FERC Boundary.

- e. Please provide alternative potential Resource Actions for addressing the same resource goal and/or Project 2100 effects referring to the linked map, or providing a map as appropriate:

There is no alternative that would bring back the Maidu Traditional way of life. Since the original license was granted irreversible damage has been done to our Sacred Prayer Sites, Prehistoric Village Sites, Ceremonial Grounds, and the Desecration of our Ancestors Remains from their Sacred Burial Grounds and storage of their remains for the past 38 years in cardboard boxes in a warehouse in West Sacramento.

- f. Describe the methods for measuring the goals and performance of the Resource Action or methods for evaluation success against the known resource goal(s):

The Methods of evaluation will be determined by the successful negotiated agreement between the Licensee and the Three Federally Recognized Maidu Tribes along with the successful implementation of the Natural Resource Management Plan.

g. Describe the feasibility of the Resource Action:

The responsibility for the initial destruction of the sacredness of the land and the Maidu way of life lies with the licensee. The only means to ensure this responsibility is met is a dedicated surcharge on resources developed and sold from the project.

h. Please mark the applicable Working Groups that would be involved in the implementation of this Resource Action:

- ☐ Land Use and Management
- ☐ Recreation & Socioeconomics
- ☐ Cultural Resources
- ☐ Engineering and Operations
- ☐ Environmental

3. Contact Information for Submitter(s) & Alternate Contact:

a. Organization Name:

Berry Creek, Enterprise, Mooretown Rancherias.

b. Preparer's name, phone number and e-mail address:

Jim Edwards, Chairman Berry Creek Rancheria (530) 534-3859
Harvey Angle, Chairman Enterprise Rancheria (530) 532-9214
Gary Archuleta, Chairman Mooretown Rancheria (530) 533-3625

c. Secondary contact person, phone number and e-mail:

Goody Mix, Tribal Secretary Berry Creek Rancheria (530) 534-3859
Clifford Angle, Tribal Council, Enterprise Rancheria (530) 532-9214
Melvin Jackson, Vice-Chairman, Mooretown Rancheria (530) 533-3625

d. Date Prepared:

July 25, 2003

e. Organization (s) represented by submitter:

Berry Creek, Enterprise, Mooretown Rancherias.

Please fill out the following questions to the best of your ability, understanding that you may not have this information or it may not be available.

4. Resource Goals:

- a. Identify and describe the resource goal the Resource Action is related to, providing reference to the resource goal number(s) described, as appropriate:

This resource action addresses a number of Cultural Resource goals oriented toward the desire to protect cultural resources in the project area. Specific Resource Goals include:

CR02.01 – Evaluate the need and methods to provide protection of cultural resources.

CR02.02 – Emphasize protection of all significant cultural resource values within the APE (including those that lie beneath the reservoir).

CR02.03 – Develop special protective measures for “high-risk” situations (sites exposed to potential damage during reservoir drawdowns or through recreational activities).

CR02.04 – Establish areas to be managed primarily for historical preservation purposes (historical areas, traditional use areas and repatriation locations).

CR03.01 – Develop a Cultural Resources Management Plan to avoid, minimize and mitigate adverse project effects of existing and future project facilities, operations and maintenance on cultural resources.

CR03.02 – Develop a Cultural Resources Management Plan based on an understanding of how the operation and maintenance of the project hydroelectric facilities and activities associated with the project (recreation use/developments, wildlife management and fuel load management) could affect significant cultural resources values.

- b. Explanation of how the Resource Action furthers that goal:

The development of the Natural Resource Management Plan will provide a method to establish special protective measures for the cultural resources within the APE and help to minimize the adverse project effects of existing and future project activities on cultural resources.

5. Identify the Resource Issue/Relationship to Project and Relicensing:

- a. Describe the issue the Resource Action is intended to address, referring as appropriate to Issue Statement(s) number(s):

This resource action will address the following issues statements;
CRE1,CRE9,CRE21,CRE22,CRE26,CRE42,CRE54,CRE61,CRE62,CRE14,
CRE19,CRE27,CRE57CRE17,CRE20,CRE23,CRE57.

- b. Describe the relationship between the Resource Action and the project, including any project impacts the Resource Action is intended to address:

For the past 38 years the Maidu Traditional and Spiritual way of life has been forever destroyed by the storage of water within the reservoir. The damage that has been caused by the project is irreversible. There are over 300 Sacred Sites and Burial Grounds with in the watershed that will continue to be extremely damaged by the continued operations of the project.

- c. Identify any comprehensive plans that this Resource Action is related to: